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FILED  
DEC 5 2013  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA, ) CASE NO. 13-CR-70777  
14 Plaintiff, )  
15 v. ) STIPULATION AND [PROPOSED] ORDER  
16 GREGORIO MARTINEZ, ) CHANGING DATE FOR STATUS HEARING AND  
17 Defendant ) EXCLUDING TIME FROM DECEMBER 12, 2013  
18 ) TO JANUARY 9, 2014

19 The defendant, Gregorio Martinez, represented by Geoffrey Hansen, Esquire, and the  
20 government, represented by Adam Wright, Assistant United States Attorney, appeared before the Court  
21 on November 20, 2013 for a status hearing on this matter. At that time, the parties represented that they  
22 were in the process of reviewing discovery and discussing a potential resolution of the matter. The  
23 Court set December 12, 2013 for another status hearing and excluded time under the Speedy Trial Act  
24 and Criminal Rule of Procedure 5.1.

25 The parties respectfully request that the date of the status hearing be moved to January 9, 2014.  
26 As a basis for this request, the parties represent that they are in the process of reviewing discovery and  
27 discussing a potential resolution in this matter. The parties request that the time be excluded for an

1 indictment or preliminary hearing under Federal Rule of Criminal Procedure 5.1 between December 12,  
2 2013 and January 9, 2014, while taking into account the public's interest in the prompt disposition of  
3 criminal cases. The parties further request that the time be excluded under the Speedy Trial Act between  
4 December 12, 2013 and January 9, 2014, for the purpose of effective preparation of counsel, taking into  
5 account due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

6 SO STIPULATED:

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8 MELINDA HAAG  
9 United States Attorney

10 DATED: December 4, 2013

11 /s/  
12 ADAM WRIGHT  
13 Assistant United States Attorney

14 DATED: December 4, 2013

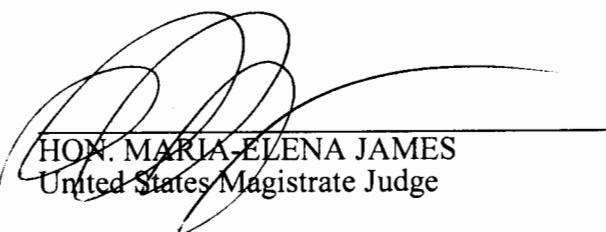
15 /s/  
16 GEOFFREY HANSEN  
17 Attorney for GREGORIO MARTINEZ

1 [PROPOSED] ORDER

2 The Court hereby changes the status hearing scheduled for December 12, 2013 to January 9,  
3 2014. Based upon the representation of counsel and for good cause shown, the Court also finds that  
4 failing to exclude the time between December 12, 2013 and January 9, 2014 would unreasonably deny  
5 counsel the reasonable time necessary for effective preparation, taking into account the exercise of due  
6 diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by  
7 excluding the time between December 12, 2013 and January 9, 2014 from computation under the  
8 Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. The Court  
9 also finds good cause exists to exclude the time for an indictment or preliminary hearing under Federal  
10 Rule of Criminal Procedure 5.1 between December 12, 2013 and January 9, 2014, taking into account  
11 the public interest in the prompt disposition in criminal cases. Therefore, IT IS HEREBY ORDERED  
12 that the time between December 12, 2013 and January 9, 2014 shall be excluded from computation  
13 under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), and Federal Rule of Criminal  
14 Procedure 5.1.

15 IT IS SO ORDERED.

16 DATED: 12-5-13

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18 HON. MARIA-ELENA JAMES  
19 United States Magistrate Judge